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**UTILITY PATENT APPLICATION TRANSMITTAL**  
(For new Non-provisional applications under 37 CFR1.53(b))

Attorney Docket No.: MAL6115P0011US  
First Named Inventor: Peter J. Malnekoff  
Express Mail Label No. EL746437352US

Box PATENT APPLICATION  
Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a continuation utility patent application of inventor(s): **Peter J. Malnekoff**  
and entitled: **AN AUTOMATED GEMSTONE EVALUATION SYSTEM**

**Application Elements:**

1. ☒ Specification containing 18 (preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross-reference to related applications (if applicable)
  - Statement regarding Federally-sponsored Research & Development (if applicable)
  - Reference to Microfiche Appendix (if applicable);
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
2. ☒ Drawings: 3 Sheets of ☒ formal drawings ☐ informal drawings
3. ☒ Oath or Declaration
  - a. ☐ An executed declaration or oath for the utility patent application including a power of attorney,
  - b. ☐ An unexecuted declaration or oath for the utility patent application including a power of attorney;
  - c. ☒ Copy from a prior application (37 CFR 1.63(d), for continuation/divisional with No. 16 completed. [Note No. 4 below.]).
    - i. ☐ Signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).
4. ☒ **For CONTINUATION or DIVISIONAL Applications only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 3c, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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09/871867  
06/01/01

5. ☐ Microfiche Computer Program (Appendix)
6. ☐ Nucleotide and/or Amino Acid Sequence submission. including:
- ☐ Computer readable copy,
  - ☐ Paper copy (identical to computer copy),
  - ☐ Statement verifying identity of above copies.

**Accompanying Application Parts:**

7. ☐ Assignment Papers (cover sheet, document(s) and requisite fee).
8. ☐ 37 CFR 3.73(b) Statement (where there is an assignee)
- ☐ Power of Attorney
9. ☐ English Translation document (if applicable)
10. ☐ Information Disclosure Statement (IDS), including PTO-1449
- ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Postcard for PTO Mail Room Date Stamp (should be specifically itemized).
13. ☒ Small Entity Statement(s)
- ☒ Statement filed in prior application, status still proper and desired.
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed).
15. ☐ Other \_\_\_\_\_
16. ☒ **If Continuing Application**, check appropriate box and supply the requisite information below and in a preliminary amendment:
- ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/157,450, filed September 21, 1998.

Prior application information: Examiner: Kyle Choi Group/Art Unit: 1614

**Fee Calculation**

The filing fee has been calculated as shown below:

| Small Entity                      |           |             |           |            |          | Large Entity |          |
|-----------------------------------|-----------|-------------|-----------|------------|----------|--------------|----------|
| For                               | No. Filed | No. Allowed | No. Extra | Rate       | Fee      | Rate         | Fee      |
| Basic Fee                         |           |             |           |            | \$355.00 |              | \$710.00 |
| Total Claims                      | 19        | - 20 =      | 0         | x \$9.00   | \$       | x \$18.00    | \$       |
| Indep. Claims                     | 3         | - 3 =       | 0         | x \$40.00  | \$       | x \$80.00    | \$       |
| Multiple Dependent Claims Present |           |             |           | + \$135.00 | \$       | + \$270.00   | \$       |
|                                   |           |             |           | TOTAL      | \$355.00 | TOTAL        | \$       |

17. ☒ A check in the amount of \$355.00 to cover the filing fee is enclosed.

18. ☐ Please charge my Deposit Account No. 04-1644 in the amount of \$\_\_\_\_\_.

19. ☒ The Commissioner is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 04-1644:

☒ Additional filing fees under 37 CFR 1.16 or deficiencies in remittances therefor.

☒ Additional processing fees under 37 CFR 1.17 or deficiencies in remittances therefor.

☒ **ONLY if applicant has partially paid** the patent issue fee under 37 C.F.R. §1.18, then the **deficiency** shall be charged to Deposit Account No. 04-1644, and the Commissioner is authorized to so charge the Deposit Account.

Date: June 1, 2001

Attorney's Signature

Lawrence J. Chapa  
Lawrence J. Chapa, Reg. No. 39,135

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**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that this Utility Patent Application Transmittal, enclosed application, and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.: EL746437352US

Date of Deposit: June 1, 2001

Typed/Printed Name of Person Signing: Denise Allen

Signature:

Denise Allen